

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
YURMAN STUDIO, INC. and YURMAN
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.
----- X
----- X

Civil Action No. 07-1241 (SAS)(HP)
(Action No. 1)

CARTIER, a division of RICHEMONT NORTH
AMERICA, INC., CARTIER INTERNATIONAL,
N.V., CARTIER CREATION STUDIO, S.A., VAN
CLEEF & ARPELS S.A., VAN CLEEF &
ARPELS, INC., VAN CLEEF & ARPELS
DISTRIBUTION, INC., GUCCI AMERICA, INC.,
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants.
----- X

Civil Action No. 07-7862 (SAS)(HP)
(Action No. 2)

**DECLARATION OF BHARAT DUBE IN SUPPORT OF THE CARTIER PLAINTIFFS
MOTION FOR PARTIAL SUMMARY JUDGMENT**

EXHIBIT K

D 1703025

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

June 04, 2008

**THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM
THE RECORDS OF THIS OFFICE OF:**

U.S. PATENT: D543,130

ISSUE DATE: May 22, 2007

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**



N. Williams

**N. WILLIAMS
Certifying Officer**



US00D543130S

(12) **United States Design Patent**
Allin

(10) **Patent No.:** **US D543,130 S**
(45) **Date of Patent:** **** May 22, 2007**

(54) **PENDANT**

(75) **Inventor:** **Miyuki Allin, Paris (FR)**

(73) **Assignee:** **Cartier International, B.V.,
Amsterdam (NL)**

(**) **Term:** **14 Years**

(21) **Appl. No.:** **29/240,739**

(22) **Filed:** **Oct. 17, 2005**

(30) **Foreign Application Priority Data**

Apr. 22, 2005 (EM) 000329222-0003

(51) **LOC (8) CL.** **11-01**

(52) **U.S. CL.** **D11/79**

(58) **Field of Classification Search** D11/1-2,
D11/7, 40-44, 46-49, 53, 56-57, 59-61,
D11/63, 65, 79-83, 86-87, 89-90, 99, 91-92,
D11/101, 106, 114-116, 200-201; 63/1.11,
63/18-20; D3/207-211

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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D367,151 S * 2/1996 Bonucci D1/106
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D498,696 S * 11/2004 Hardy D11/79
D510,539 S * 10/2005 Turner D11/79

* cited by examiner

Primary Examiner—Ralf Seifert

(74) *Attorney, Agent, or Firm*—Kalow & Springut LLP

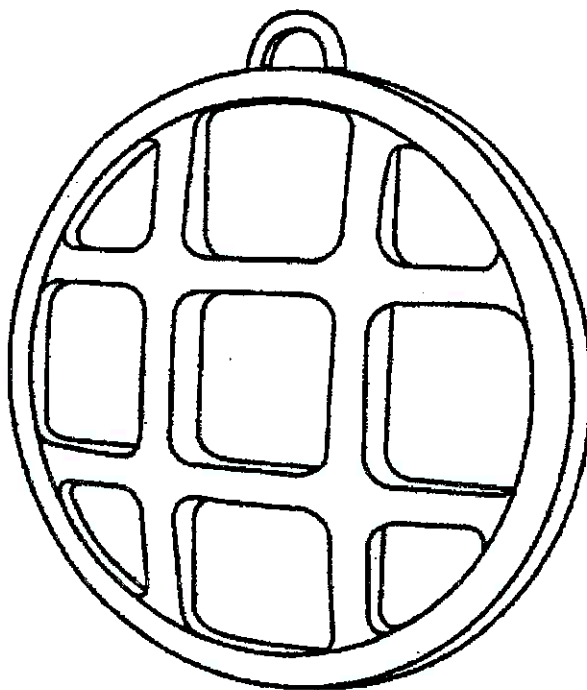
(57) **CLAIM**

The ornamental design of a pendant, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of the pendant.
FIG. 2 is a front view of the pendant.
FIG. 3 is a rear view of the pendant.
FIG. 4 is a bottom view of the pendant.
FIG. 5 is a top view of the pendant.
FIG. 6 is a left side view of the pendant; and,
FIG. 7 is a right side view of the pendant.

1 Claim, 1 Drawing Sheet



U.S. Patent

May 22, 2007

US D543,130 S

Fig. 1

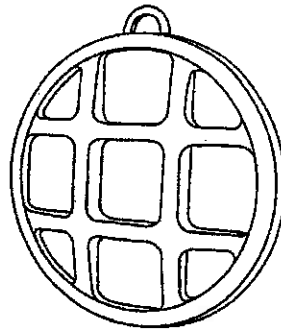


Fig. 2

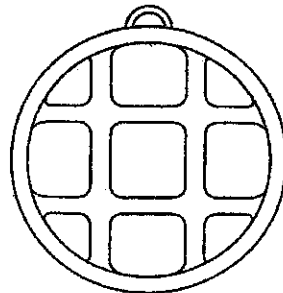


Fig. 3

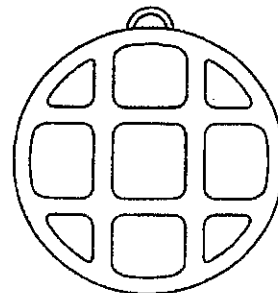


Fig. 4

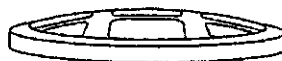


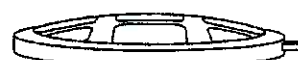
Fig. 5



Fig. 6



Fig. 7



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Cartier -esque Jewelry Inspired Pasha Quilted Open Circle Sterling Silver Pendant

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Designer Inspired Baby Charms
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CATEGORIES

Engagement Rings
Chandelier Earrings
Bridal Jewelry
Heart Shaped Jewelry
Tennis Bracelets & Necklaces
Chains
Cufflinks
Clover Jewelry
Religious Jewelry
Equestrian Jewelry
Earth Elements

DEPARTMENTS

Watches
Bracelets
Necklaces & Pendants
Earrings
Rings
Pins & Brooches
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Baby Gifts & Charms

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MATERIALS

Sterling Silver & CZ



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DESCRIPTION:

This Cartier-esque Replica Pasha Collection pendant is set in .925 Sterling Silver. Simple yet elegant design, this pendant features the stunning quilted detailing set in a perfect little circle. Perfect to wear with any seasonal style. Comes with a 16" or 18" sterling silver chain!

Measures: Pendant measures 1" in diameter
Weight: 4 grams
Material: .925 Sterling Silver
Category: pendant cartier esque silver circle

All measurements are approximate. Designer mentioned does not make this item. Please read our

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Cartier-esque Inspired Pasha Round Onyx Quilted CZ Ring

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 Item #: PK-0819
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Our Price: **\$64.99**

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Ring Sizing Chart

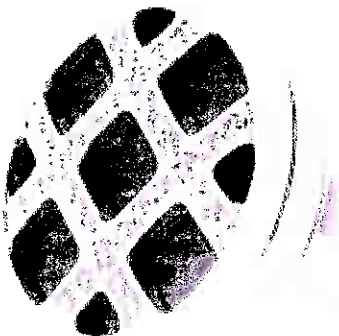
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CATEGORIES

- Engagement Rings
- Chandelier Earrings
- Bridal Jewelry
- Heart Shaped Jewelry
- Tennis Bracelets & Necklaces
- Chains
- Cufflinks
- Clover Jewelry
- Religious Jewelry
- Equestrian Jewelry
- Earth Elements



Skull Jewelry

DEPARTMENTS

- Watches
- Bracelets
- Necklaces & Pendants
- Earrings
- Rings
- Pins & Brooches
- Ankle Bracelets
- Accessories
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MATERIALS

- Sterling Silver & CZ
- Gold Jewelry
- Pearls
- Diamond Jewelry
- Gemstone Jewelry
- Turquoise Jewelry

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DESCRIPTION:

This Cartier-esque Inspired Pasha Collection ring is set in white gold plating with quilted CZ and black onyx detailing. It is also rhodium plated to add a beautiful long lasting shine and to avoid tarnishing! You'll feel like the real thing in this Cartier inspired earrings, even if the ring isn't really Cartier. Perfect piece to complement your little black dress!

Measures: 7/8" in diameter, 1/4" in depth HxWxD

Weight: 8 grams

Material: White gold plated alloy CZ Cubic Zirconia onyx

Category: Silver ring

All measurements are approximate. Designer mentioned does not make this item. Please read our

disclaimer.

CUSTOMER REVIEWS:

I was very happy with my experience with Overstock Jewelry. I called to speak to someone at customer service. After two rings someone picked up. A human not a computer! She knew about the item I was inquiring about within seconds of me mentioning the item. The shipping was super fast! The quality of the merchandise was very good and price was very fair. The item I received was almost like the picture on the site but better. They even send me a coupon for my next purchase! I will be shopping at Overstock again. Why pay high prices when you can pay a fraction of the cost for great replica merchandise. Thanks Overstock- Kaye S

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Home > Necklaces and Pendants: Sterling Silver, Cubic Zirconium, 14k Gold, Lariat, Fleur-de-lis, South Sea Shell Pearls > Cartier -esque Inspired Pasha Quilted Turquoise Sterling Silver Circle Pendant

Cartier -esque Inspired Pasha Quilted Turquoise Sterling Silver Circle Pendant

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Necklace Sliding Chart

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Designer Inspired Sterling Silver Turquoise Rectangular Serpentine Earrings **\$39.99**

OTHER VIEWS:

PLAINTIFF'S EXHIBIT
 2/18/08 JA

CATEGORIES

Engagement Rings
 Chandelier Earrings
 Bridal Jewelry
 Heart Shaped Jewelry
 Tennis Bracelets & Necklaces
 Chains
 Cufflinks
 Clover Jewelry
 Religious Jewelry
 Equestrian Jewelry
 Earth Elements

Skull Jewelry

DEPARTMENTS

Watches
 Bracelets
 Necklaces & Pendants
 Earrings
 Rings
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MATERIALS

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Cartier-inspired Inspired
 Pasha Round Mother of
 Pearl Quilted Pave Earrings
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**DESCRIPTION:**

This Cartier-esque Inspired Pasha Collection pendant is set in .925 Sterling Silver. Backed by a genuine turquoise stone, this pendant has a simple yet stylish look. Perfect for either classy or trendy outfits. Not an identical Cartier reproduction, this Pasha styled pendant is strikingly similar to the real thing. This stunning pendant features quilted detailing. Comes with a 16" or 18" sterling silver chain.

Measures: 1" in diameter**Weight:** 6 grams**Material:** .925 Sterling Silver Turquoise**Category:** pendant cartier inspired turquoise sterling silver circle women

All measurements are approximate. Designer mentioned does not make this item. Please read our

REVIEWS:**CUSTOMER REVIEWS:**

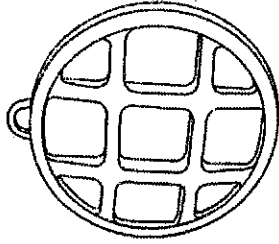
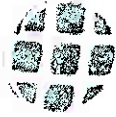


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The Cartier Design Patents & The Overstock Jeweler Infringing Products

U.S. Patent No.	Claim	Drawing	Overstockjeweler.com Item & Item No.
D543,130	The ornamental design of a pendant, as shown and described.		<div data-bbox="245 516 526 1035">  <p data-bbox="480 516 509 663">SF-91663201</p> </div> <div data-bbox="526 516 807 1035">  <p data-bbox="756 537 786 642">PK-5778</p> </div> <div data-bbox="807 516 1050 1035">  <p data-bbox="1000 537 1029 642">PK-0819</p> </div>